LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ORDERS FOR TUESDAY, DECEMBER 9, 2003

Mr. McConnell. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, December 9. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. McCONNELL. The Senate will reconvene on Tuesday, December 9, and it is our hope that we will be able to consider the omnibus appropriations conference report that day. The conference report has been filed and this will give ample time for Members to review that measure. We will also consider any legislative or executive items that can be cleared by unanimous consent. I hope among those will be some of these 95 innocent nominees who were caught up in the obstructionism in the Senate. Hopefully, during the Thanksgiving recess, we will come back with a different attitude and clear the nominees. One issue we need to address is the pension rate bill, and we will continue to work toward finishing that bill when we return.

I will announce, no rollcall votes will occur that day. So obviously on that day what we will be able to do will be done by consent.

We wish everyone a pleasant Thanksgiving holiday and hope when we come back on December 9 we will be able to do some of the Nation's unfinished business.

ADJOURNMENT UNTIL TUESDAY, DECEMBER 9, 2003, AT 10 A.M.

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the provisions of H. Con. Res. 339.

There being no objection, the Senate, at 6:15 p.m., adjourned until Tuesday, December 9, 2003, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate November 25, 2003:

DEPARTMENT OF TRANSPORTATION

LINDA MORRISON COMBS, OF NORTH CAROLINA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE DONNA R. MCLEAN, RESIGNED.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

JACK EDWIN MCGREGOR, OF CONNECTICUT, TO BE A MEMBER OF THE ADVISORY BOARD OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION, VICE VINCENT J. SORRENTINO.

SCOTT KEVIN WALKER, OF WISCONSIN, TO BE A MEMBER OF THE ADVISORY BOARD OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION, VICE ANTHONY S. EARL.

DEPARTMENT OF THE TREASURY

MARK J. WARSHAWSKY, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE RICHARD CLARIDA, RESIGNED.

INTER-AMERICAN FOUNDATION

ROGER W. WALLACE, OF TEXAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2008, VICE FRED P. DUVAL.

THE JUDICIARY

MARCIA G. COOKE, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE WILKIE D, FERGUSON, JR., DECEASED. CURTIS V. GOMEZ, OF VIRGIN ISLANDS, TO BE JUDGE

CURTIS V. GOMEZ, OF VIRGIN ISLANDS, TO BE JUDGE FOR THE DISTRICT COURT OF THE VIRGIN ISLANDS FOR A TERM OF TEN YEARS, VICE THOMAS K. MOORE, TERM EXPIRED

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

DAVID S FEIGIN, 0000 VICTOR B LEBEDOVYCH, 0000 ROBERT A VIGERSKY, 0000

To be lieutenant colonel

ANTONIO G BALINGIT, 0000 LEON R BYBEE, 0000 CRAIG HARTRANFT, 0000 DEAN A INOUYE, 0000 JEROME H KIM, 0000 WILLARD F QUIRK, 0000

To be major

DIANE DEVITA, 0000 JOHN E HARTMANN, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

JOSEPH L. CRAVER, 0000 WILLIAM HANN, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY CHAPLAIN CORPS UNDER TITLE 10, U.S.C., SECTIONS 531,AND 3064:

To be major

CAROL ANN MITCHELL, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 531, AND 3064:

To be major

CAROL A. BOSSONE, 0000 $To \ be \ captain$

ROBERT S. DOLE, 0000 CHRISTOPHER S. GAMBLE, 0000 CURTIS M. KLAGES, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

CONSTANCE A BELL, 0000 ROBERT C CONRAD, 0000 EMERY B FEHL, 0000 RICHARD GONZALES, 0000 VICKIE L TUTEN, 0000 HOBERT W WELLS III, 0000

To be captain

MICHAEL V ARNETT, 0000
DREW G BELNAP, 0000
DREW G BELNAP, 0000
MATTHEW A BORGMAN, 0000
ALEXANDER W BROWN, 0000
CRAIG M BUSH, 0000
MICHAEL S CAHILL, 0000
BRIAN J CARR, 0000
MATTHEW S CHAMBERS, 0000
STUART J COHEN, 0000
ROBERT J CORNFELD, 0000
CARLOS E CORREDOR, 0000
MARK S CRAIG, 0000
KEVIN M CRON, 0000
KEVIN M CRON, 0000
KEVIN CUMMINGS, 0000

DAVID A DJURIC, 0000 PATRICK A GARLAND, 0000 ANDREW R GILBERT, 0000 WILLIAM P GORDON JR., 0000 KARA M HACK, 0000 JORDAN M HALL, 0000 BRANDON G HAMILTON, 0000 TRISTAN M HARRISON, 0000 NATHAN E HARTVIGSEN, 0000 CHRISTOPHER C HIGGINS, 0000 THOMAS N HOFFMANN, 0000 JOHN D HORTON, 0000 BRUCE L JAMES, 0000 BRYAN M JOHNSON, 0000 ERIK R JOHNSON, 0000 ANDREW KAGEL, 0000
THERESA A KEHL, 0000
MICHAEL J KILBOURNE, 0000
CAMILO Y KIM, 0000 EUGENE H KIM, 0000 ADRIAN T KRESS, 0000 MICHAEL J LICATA, 0000 JEFFREY R LIMJUCO, 0000 JEFFREY R LIVEZEY, 0000 ROMARIUS L LONGMIRE, 0000 ERIK S MANNINEN, 0000 ALEX J MCKINLAY, 0000 BRIAN C MCLEAN, 0000 MARCY MEYER, 0000
PAUL M MICHAUD, 0000
CHRISTOPHER S MURPHY, 0000 DAYNE M NELSON, 0000 PHU T NGUYEN, 0000 ROBERT L OAK, 0000 JOSHUA C PACKARD, 0000 JISOO PARK, 0000 JENNIFER H PERKINS, 0000 MICHAEL P PERKINS, 0000 NADER Z RABIE, 0000 HIPOLITO C REY, 0000 JAMIE C RIESBERG, 0000 JOSHUA S RITENOUR, 0000 THOMAS M ROUNTREE, 0000 DENNIS M SARMIENTO, 0000 DANIEL C SESSIONS, 0000 BENJAMIN H SMITH, 0000 DARREN C SPEARMAN, 0000 KAREN B TARM, 0000 DANIEL J TOLSON, 0000 DANIEL 3 TOLSON, 0000 CHRISTOPHER J TUCKER, 0000 AMY E VERTREES, 0000 DUVEL W WHITE, 0000 TODD A WICHMAN, 0000 A WICHMAN, 0000 SCOTT G WILLIAMS, 0000 AGNIESZKA O WOJCIEHOWSKI, 0000 DAVID A WONDERLICH, 0000 KIMBERLY J WONDERLICH, 0000 YANG XIA, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

DANIEL G RENDEIRO, 0000

To be captain

ROGER J BANNON, 0000
WILLIAM J BOWMAN, 0000
RICHARD CAPO, 0000
MICHAEL J COOTE, 0000
GEORGE J DEVITA, 0000
MICHAEL E FRANCO, 0000
DANNY H HEIDENREICH, 0000
CYNTHIA A JONES, 0000
LARRY T LINDSAY, 0000
LARRY T LINDSAY, 0000
MOBERTO E MARIN, 0000
GAIL L MAXWELL, 0000
MICHAEL K MCELHERAN, 0000
DONNA F MOULTRY, 0000
DONNA F MOULTRY, 0000
DENIS L ROBERT, 0000
MARTIN P ROSE, 0000
RAYMOND A STERLING, 0000

To be first lieutenant

DIANE K PATTERSON, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR AP-POINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be captain

MICHAEL T ENDRES, 0000
LISA G JACKSON, 0000
DETRA T JACKSONCONNER, 0000
ROBERT E LAJERET, 0000
TERRENCE M MARK, 0000
STACEY E NAPPERREED, 0000
ANGELA R REDMOND, 0000
EDITHA D RUIZ, 0000
ROBERT D SWINFORD, 0000
PHYLLIS R SYKES, 0000

To be first lieutenant

JAMES A CHERVONI, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CRAIG L ABRAHAM, 0000
EDWARD C AGU, 0000
EDWARD C AGU, 0000
EDWARD C AGU, 0000
EDWARD C AGU, 0000
ROBINA J ANDERSON, 0000
BRIAN J ANDERSON, 0000
BRIAN J ANDERSON, 0000
BRIAN J ANDERSON, 0000
FERDINAND B BEREDO, 0000
RODNEY D BLLINGS, 0000
RODNEY D BLLINGS, 0000
RODNEY D BLLINGS, 0000
DEWARD AG AVINS, 0000
JHH S ARDLLIO, 0000
JH BARDLLIO, 0000
KEVIN E CHESHURE, 0000
KEVIN E CHESHURE, 0000
WILLIAM H CLARKE, 0000
DENNIS W CONNORS, 0000
SCOTT A DAVIS, 0000
BRENT L DESSING, 0000
KIRK B DIAL, 0000
STANLEY S DIMIRACK, 0000
FREDERICK M DINI, 0000
PAMELA C DOZIER, 0000
MICHAELA DUBE, 0000
JOHN S DUENAS, 0000
CHIPMAN S ELLIOTT, 0000
JOSEH C ESPINO, 0000
JOSEH C ESPINO, 0000
JAMES G FABRY, 0000
JOSEH C ESPINO, 0000
JAMES G FABRY, 0000
JASON B FITCH, 0000
KENNETH L FLAHERTY, 0000
TERREL J FISHER, 0000
HEARDLY S FABRY, 0000
TONY V GILES, 0000
TROY W GRONBERG, 0000
TRAYLS N GOODWIN, 0000
TRAYLS NO SKELAR, 0000
WALTER R LEAVY, 0000
WILLIAM P MCKINLEY, 0000
OUGLAS S MACKENZIE, 0000
WALTER R LEAVY, 0000
WILLIAM P MCKINLEY, 0000
OUGLAS S MACKENZIE, 0000
OOD ANDON LINCOLN, 0000
OOD CARD ALEXANDERS S MATTRE, 0000
OOD CARD ALEXANDERS S MACKENZIE, 0000
OOD CARD S S MACKENZIE, 0000
OOD CAR

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. FRANK B. CABLINI, 0000

THE JUDICIARY

JUAN R. SANCHEZ, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE JAY C. WALDMAN, DECEASED.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 25, 2003:

DEPARTMENT OF HOMELAND SECURITY

MICHAEL J. GARCIA, OF NEW YORK, TO BE AN ASSIST-ANT SECRETARY OF HOMELAND SECURITY. JAMES M. LOY, OF VIRGINIA, TO BE DEPUTY SEC-RETARY OF HOMELAND SECURITY.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSULTED COMMITTEE OF THE SENATE.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. WILLIAN WELSER III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

To be brigadier get colonel paul f. Capasso colonel floyd L. Carpenter colonel fulliam A. Chambers colonel fulliam A. Chambers colonel fulliam A. Chambers colonel flower flower

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL, STEPHEN L. LANNING

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL ROBIN E SCOTT

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. LARRY J. DODGEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN M. CURRAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE $10,\,\mathrm{U.s.c.}$, SECTION 624:

To be major general

BRIG. GEN. KEITH M. HUBER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. DENNIS E. HARDY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. JAMES R. SHOLAR

To be brigadier general

COL. HENRY J. OSTERMANN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM, WALTER B. MASSENBURG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, 12, C., SECTION 624:

To be rear admiral

REAR ADM. (LH) ROBERT E. COWLEY III REAR ADM. (H) STEVEN W. MAAS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

TO BE REAR ADMIRAL (LOWER HALF)

CAPT. RAYMOND K. ALEXANDER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) DONALD K. BULLARD
REAR ADM. (LH) ALBERT M. CALLAND III
REAR ADM. (LH) ALBERT M. CALLAND III
REAR ADM. (LH) ALBERT M. CALLAND III
REAR ADM. (LH) BUGEST T. COWWY, JR.
REAR ADM. (LH) BUGES E. SUGLEHARDT
REAR ADM. (LH) BUGES E. SUGLEHARDT
REAR ADM. (LH) CHARLES S. HAMILTON II
REAR ADM. (LH) CHARLES S. HAMILTON II
REAR ADM. (LH) CARLTON B. JEWETT
REAR ADM. (LH) MATTHEW G. MOFFIT
REAR ADM. (LH) MICHAEL P. NOWAKOWSKI
REAR ADM. (LH) MAROLD D. STARLING II
REAR ADM. (LH) JAMES STAVRIDIS
II
REAR ADM. (LH) MICHAEL C. TRACY REAR ADM. (LH) MICHAEL C. TRACY REAR ADM. (LH) JOHN J. WAICKWICZ

REAR ADM. (LH) JOHN J. WAICKWICZ

AIR FORCE NOMINATION OF GARY H. SHARP.
AIR FORCE NOMINATION OF JEFFREY N. LEKNES.
AIR FORCE NOMINATION OF SAMULE I. B. ECHAURE.
AIR FORCE NOMINATIONS BEGINNING THOMAS E. JAHN
AND ENDING RODNEY D. LEWIS. WHICH NOMINATIONS
WERE RECEIVED BY THE SENATE AND APPEARED IN THE
CONGRESSIONAL RECORD ON OCTOBER 23, 2003.
AIR FORCE NOMINATIONS BEGINNING SAMULL C.
FIELDS AND ENDING KEVIN C. ZEECK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED
IN THE CONGRESSIONAL RECORD ON OCTOBER 23, 2003.
AIR FORCE NOMINATION OF ROBERT G. CATES III.
AIR FORCE NOMINATION OF MARY J. QUINN.
AIR FORCE NOMINATIONS BEGINNING CHRISTOPHER C.
ERICKSON AND ENDING MARK A. MCCLAIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER
17, 2003.
ARMY NOMINATION OF LANCE A. BETROS

ARR FORCE NOMINATIONS BEGINNING CHRISTOPHER C. ERICKSON AND EXDING MARK A. MCCLAIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2003.

ARMY NOMINATION OF LANCE A. BETROS.

ARMY NOMINATION OF LANCE A. BETROS.

ARMY NOMINATIONS BEGINNING THOMAS B. SWEENEY AND ENDING PAUL L. ZANGLIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 30, 2003.

ARMY NOMINATIONS BEGINNING JOHN D. MGGOWAN II AND ENDING KENNETH E. NETTLES. WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2003.

ARMY NOMINATIONS BEGINNING OLD AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2003.

ARMY NOMINATIONS BEGINNING GASTON P. BATHALON AND ENDING PAULA J. RUTAN. WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2003.

ARMY NOMINATIONS BEGINNING GASTON P. BATHALON AND ENDING WILLIAM E. ZOESCH. WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2003.

ARMY NOMINATION OF WILLIAM B. CARR. JR. ARMY NOMINATIONS BEGINNING GHERYL KYLE AND ENDING WILLIAM E. ZOESCH. WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2003.

ARMY NOMINATION OF WILLIAM B. CARR. JR. ARMY NOMINATIONS BEGINNING GHERYL KYLE AND ENDING GRRYS ON AND ENDING GASTON AND